



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

RUNE et al

Atty. Ref.: 2380-225

Serial No. 09/543,536

Group: 2685

Filed: April 5, 2000

Examiner: Gesesse

For: RELOCATION OF SERVING RADIO NETWORK CONTROLLER WITH
SIGNALING OF LINKING OF DEDICATED TRANSPORT CHANNELS

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MAIL STOP AF

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

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SEP 05 2003

Technology Center 2600

Sir:

REQUEST FOR RECONSIDERATION

Responsive to the FINAL Official Action dated June 3, 2003, please favorably consider the ensuing remarks.

Applicants thank the Examiner for the indication of allowable subject matter in claims 22 – 30 and 32 – 46. Applicants now address the erroneous final rejection of claims 1 – 21 and 31, which are alleged anticipated by US Patent 6,466,556 to Boudreaux.

The Final Rejection of June 3, 2003 essentially repeats verbatim the grounds of rejection from the first office action, although now with respect to fewer claims. The Final Rejection does not respond to Applicants' March 19, 2003 arguments. Rather, the Final Rejection alleges that such Arguments fail to comply with 37 CFR1.111(b) for failing to point out how the language of the claims patentably distinguishes from the references.

While Applicants do not see how the distinctions could have been missed in the March 19 arguments, Applicants welcome another opportunity to emphasize the distinctions, and will now do so briefly.

Applicants' independent claims all (claims 1, 12, 18) specify a signaling, from one radio network controller to another, of information for linking a transport channel utilized for the service with a radio access bearer (RAB) for the service. In the March 19 response, this feature was mentioned several times in the Brief Comments Section B (e.g., twice on page 12, even italicized in the last paragraph); in New Claims Section C (see the first sentence of section C on page 14); and in the Patentability Section D (see the last sentence in the first paragraph on page 17, the sentence bridging pages 17 and 18 wherein the word "transport" is twice underlined; and, the last paragraph of section D appearing on page 18).

US Patent 6,466,556 to Boudreaux concerns a problem related to handling real-time data streams during SRNC Relocation. Applicants' claimed invention, on the other hand, ensures that the service (which can be one of many services active at the same time) is mapped onto transport channels and thereby onto the physical channel/channels of the radio interface by the target RNC in the same way as it was by the old SRNC. US Patent 6,466,556 to Boudreaux handles duplication of uplink packets for a certain RAB; it does not even remotely relate to creating a linking or mapping between the transport channel and the radio access bearer (RAB) carrying the service. As such, US Patent 6,466,556 to Boudreaux misses entirely the claimed invention and provides no basis for denying patentability of any pending claims.

If the foregoing is not clear, it is suggested that the Examiner again consider the lengthy explanatory comments in the March 19 amendment, which not only summarized Applicants' disclosure, but also provided further comments regarding US Patent 6,466,556 to Boudreaux and its insufficiency.

It is therefore respectfully requested that the final rejection be withdrawn, and all claims allowed. The application should therefore be passed to issue.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application, including but not limited to additional claims fee and the extension of time fee.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

NIXON & VANDERHYE P.C.

September 2, 2003

By:



H. Warren Burnam, Jr.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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RESPONSE UNDER RULE 116
EXPEDITED HANDLING PROCEDURES

In re Patent Application of

Atty Dkt. 2380-225
C# M#

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Title: RELOCATION OF SERVING RADIO NETWORK CONTROLLER WITH
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Technology Center 2600

Mail Stop AFCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 46 minus highest number
previously paid for 46 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 4 minus highest number
previously paid for 4 (at least 3) = 0 x \$ 84.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s) (\$110.00/1 month; \$410.00/2 months; \$930.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$750.00) \$ 0.00

☐ Please enter the previously unentered, filed☐ Submission attached**Subtotal \$ 0.00**

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: 0.00

TOTAL FEE ENCLOSED \$ 0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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By Atty: H. Warren Burnam, Jr., Reg. No. 29,366

Signature: